

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**

ISRAEL MARTINEZ	§	
TDCJ-CID #1452778	§	
Petitioner,	§	
V.	§	C.A. NO. C-08-211
	§	
CAMERON COUNTY DISTRICT	§	
COURT, ET AL.,	§	
Respondent.	§	

MEMORANDUM OPINION AND ORDER OF TRANSFER

This action involves a habeas action filed by a state prisoner incarcerated at TDCJ-CID's Garza East Unit in Beeville, Texas (D.E. 1). Petitioner states he was convicted of a felony offense in the state district court in Cameron County, Texas (*Id.*).

A habeas action may be filed either in the district where petitioner is in custody or in the district in which petitioner was convicted. 28 U.S.C. § 2241(d); Wadsworth v. Johnson, 235 F.3d 959 (5th Cir. 2000). Petitioner's place of incarceration is in Bee County in the Corpus Christi Division of the Southern District of Texas, 28 U.S.C. § 124(b)(6), and he was convicted by a court located in Cameron County in the Brownsville Division of the Southern District of Texas. 28 U.S.C. § 124(b)(4).

For the convenience of parties and witnesses, in the interest of justice, a district court may transfer any civil action to any other district or division where it might have been brought. 28 U.S.C. §§ 1404(a) and 1406(a). Because petitioner was convicted in Cameron County, it is more convenient for the action to be handled in the Brownsville Division of the

Southern District of Texas. The records of his conviction, the prosecutor and defense lawyer, and the witnesses are all located in the Brownsville Division of the Southern District of Texas.

Accordingly, it is ordered that the Clerk of the Court TRANSFER this action to the United States District Court for the Southern District of Texas, Brownsville Division. All pending motions are denied as moot and subject to renewal after the case is transferred.

ORDERED this 1st day of July, 2008.



B. JANICE ELLINGTON
UNITED STATES MAGISTRATE JUDGE